

FILED

MAR 30 2012

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

LAURA SENNETT,
1926 South Quincy St.
Arlington, VA 22204
703-769-4248

PLAINTIFF

VS.

DEPARTMENT OF JUSTICE,
950 Pennsylvania Ave., NW
Washington, DC 20530

DEFENDANT

Judge _____
Civil Action No. _____

Case: 1:12-cv-00495
Assigned To : Boasberg, James E
Assign. Date : 3/30/2012
Description: FOIA/Privacy Act

COMPLAINT

THE PARTIES

1. Plaintiff Laura Sennett is a citizen of Virginia residing at 1926 South Quincy St., Arlington, VA 22204.
2. Defendant Department of Justice (hereinafter “DOJ”) is an agency of the United States.
3. The Federal Bureau of Investigation (hereinafter “FBI”) is a component of the DOJ. The FBI has possession, custody and control of the records Plaintiff seeks.

JURISDICTION AND VENUE

4. This action arises under the Freedom of Information Act (hereinafter “FOIA”), 5 USC § 552 and the Privacy Act of 1974 (hereinafter “PA”), 5 USC § 552a.

RECEIVED

MAR 12 2012

1

**Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia**

1

5. This Court has jurisdiction over the parties and subject matter pursuant to 5 USC § 552(a)(4)(B) and 5 USC § 552a(g)(1)(B).

6. Venue is proper in this district pursuant to 5 USC § 552(a)(4)(B) and 5 USC § 552a(g)(5).

STATEMENT OF FACTS

BACKGROUND

7. Plaintiff Laura Sennett is a photojournalist who specializes in photographing protests, demonstrations, and other displays of grassroots activism. Since 2005, Ms. Sennett has used the pseudonym "Isis" to publish her photographs on the Internet as well as in broadcasting and print publications such as the Toronto Free Press, Cable News Network ("CNN"), The History Channel, and Radar Magazine.

8. On or about April 11, 2008, Ms. Sennett received a phone call with a tip that there would be a demonstration of the International Monetary Fund's ("IMF") annual spring meeting in the early morning hours of April 12, 2008 at the Four Seasons Hotel in Georgetown, Washington, DC. On April 12, 2008, Sennett attended a demonstration against the International Monetary Fund. Her sole purpose in being present at that demonstration was to take photographs of the event for publication.

9. On Sept. 23, 2008, Laura Sennett's home in Arlington, Virginia was raided by at least a dozen officers. The raid was executed by the FBI Joint Terrorism Task Force. Tearing apart her home in the process, and leaving it completely trashed by the time they were finished, the officers seized, amongst other things, more than 7,000 pictures, two computers, several cameras and other camera equipment. These items were Ms. Sennett's work product from her profession as a photojournalist as well as the

instruments of her profession. Without these items, Ms. Sennett's ability to make a living as a photojournalist was destroyed.

10. No criminal charges have ever been filed against Ms. Sennett, nor has she ever been arrested for the crimes outlined in the affidavit to procure the search warrant of her home. Indeed, an FBI memorandum stated that "AUSA [redacted] reviewed the circumstances of the case and indicated that the USAO [United States Attorney's Office] would not be pursuing charges against Laura Sennett as there was no evidence to date to suggest that Sennett participated in the vandalism."

11. As a result of the search, Ms. Sennett lost her entire stock of digital photographs, including all her professional work product and nearly all of the equipment she required in order to maintain her profession as a photojournalist. Ms. Sennett did not receive her materials back until March 2010, eighteen months after the raid of her home occurred. Because of the raid of her home and the taking of her work product and equipment, Ms. Sennett has suffered loss of business, loss of income, and loss of professional reputation, as well as emotional distress.

PLAINTIFF'S FOIA/PA REQUEST

12. Plaintiff sent a FOIA/PA request to the FBI via First Class mail requesting a copy of records pertaining to her. Plaintiff included a Certification of Identity (Form DOJ-361) with her request.

13. In a letter sent to Plaintiff dated September 9, 2010, the FBI acknowledged receipt of Plaintiff's FOIA/PA request described in the previous paragraph and assigned it tracking number 1153595-000.

14. In a letter sent to Plaintiff dated March 18, 2011, the FBI released-in-part and denied-in-part Plaintiff's FOIA/PA request (115395-000). Virtually every page of

released documents contained some redacted material and 67 pages were withheld in their entirety.

15. On or about April 7, 2011, Plaintiff caused a fax to be sent to DOJ's Office of Information Policy (hereinafter "OIP") appealing the withholding of documents responsive to her FOIA/PA request (115395-000).

16. In a letter sent to Plaintiff dated April 15, 2011, OIP acknowledged received Plaintiff's appeal and assigned it tracking number AP-2011-01640.

17. In a letter sent to Plaintiff dated September 6, 2011, OIP affirmed the FBI's withholding of documents in appeal AP-2011-01640.

COUNT I:
VIOLATION OF FOIA/PA

18. This Count realleges and incorporates by reference all of the preceding paragraphs.

19. Defendant has violated FOIA and PA by improperly withholding records responsive to Plaintiff's FOIA/PA request (FBI tracking number: 115395-00; OIP Appeal number: AP-2011-01640).

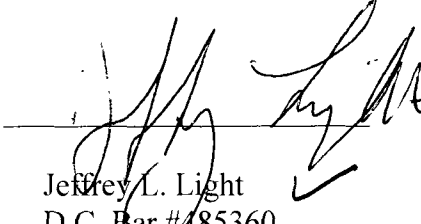
PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

- (1) Declare Defendant's failure to comply with FOIA and PA to be unlawful;
- (2) Enjoin Defendant from continuing to withhold the records responsive to Plaintiff's FOIA/PA request and otherwise order Defendant to produce the requested records without further delay;

- (3) Grant Plaintiff an award of attorney fees and other litigation costs reasonably incurred in this action pursuant to 5 USC § 552(a)(4)(E)(i) and 5 USC § 552a(g)(3)(B); and
- (4) Grant Plaintiff such other and further relief which the Court deems proper.

Respectfully Submitted,



Jeffrey L. Light
D.C. Bar #485360
1712 Eye St., NW
Suite 915
Washington , DC 20006
(202)277-6213

Counsel for Plaintiff